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Robert N. Kaplan

Partner

Mr. Kaplan is widely recognized as a leading plaintiffs litigator and has led the prosecution of numerous antitrust and securities fraud actions, recovering billions of dollars for the victims of corporate wrongdoing. He was listed by defense and corporate counsel as one of the top 75 plaintiffs' attorneys in the United States for all disciplines. Mr. Kaplan was listed as one of the top five attorneys for securities litigation. See Complete List. He was also recognized by Legal 500 as one of the top securities litigators in the United States for 2011, 2012, 2013, 2014, and 2015, and was listed as one of the leading antitrust attorneys in the country for 2015. Mr. Kaplan was recognized as Super Lawyer in the New York Metro Area. He was lead counsel for CalPERS in *AOL Time Warner Cases I & II* (Ca. Sup. Ct., L.A. Cty.), and was a lead in *In re Merrill Lynch & Co., Inc. Securities, Derivative & ERISA Litigation*, *In re Escala Securities Litigation* and *In re Bank of America Corp. Securities Litigation*, in which a settlement in the amount of \$2.425 billion and corporate governance changes was approved by the Court.

In the antitrust arena, he has been a lead counsel in many significant actions. He is a lead counsel in *In re Air Cargo Antitrust Litigation* (more than \$1.25 billion in settlements) and was recently appointed by Courts as lead counsel in the *DIPP Antitrust Litigation*, *In re Cast Iron Soil Pipe and Fittings Antitrust Litigation*, and *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation*.

He also represents clients in private antitrust actions, including: *Affiliated Foods, Inc., Associated Grocers of New England, Inc., URM Stores, Inc., Western Family Foods, Inc., and Associated Food Stores, Inc.* in individual cases against *Tri-Union Seafoods, LLC, d/b/a Chicken of the Sea, King Oscar, Inc., Bumble Bee Foods, LLC f/k/a Bumble Bee Seafoods, LLC, and Starkist Co.*, No. 15-cv-4312, No. 15-cv-3815, No. 15-cv-4187, No. 15-cv-4667 (N.D. Cal.).

He previously served, as lead counsel or member of the Executive Committee in numerous plaintiff treble damage actions including *In re Neurontin Antitrust Litigation*, MDL No. 1479, Master File No. 02-1390 (D.N.J.) (\$190 million recovered); *In re High Fructose Corn Syrup Antitrust Litigation*, MDL No. 1087, Master File No. 95-1477 (C.D. Ill.) (\$531 million recovered); *In re Brand Name Prescription Drugs Antitrust Litigation*, MDL 997 (N.D. Ill.) (\$720 plus million recovered); *In re Infant Formula Antitrust Litigation*, MDL 878 (N.D. Fla.) (\$126 million recovered); *In re Flat Glass Antitrust Litigation*, MDL 1200 (W.O. Pa.) (\$122 plus million recovered) (Mr. Kaplan successfully argued an appeal before the U.S. Court of Appeals for the Third Circuit, which issued a ground-breaking and often-cited summary judgment opinion. *In re Flat Glass Antitrust Litigation*, 191 F.R.D. 472, 476 n. 7 (W.D.Pa.1998)); *In re Hydrogen Peroxide Antitrust Litigation*, MDL 1682 (E.D. Pa.) (\$97 million recovered); *In re Plastics Additives Antitrust Litigation*, 03-CV-1898 (E.D.Pa.) (\$46.8 million recovered); *In re Medical X-Ray Film Antitrust Litigation*, CV 93-5904 (E.D.N.Y.) (\$39.6 million recovered); and *In re NBR Antitrust Litigation*, MDL 1684 (E.D. Pa.) (\$34.3 million recovered).

Mr. Kaplan is also representing financial institutions across the country in data breach cases against Home Depot and is a member of the Plaintiffs' Steering Committee.

Mr. Kaplan was a trial attorney with the Antitrust Division of the U.S. Department of Justice. There, he litigated civil and criminal actions. He also served as law clerk to the Hon. Sylvester J. Ryan, then chief judge of the U.S. District Court for the Southern District of New York and served as an acting judge of the City Court for the City of Rye, N.Y.

In addition to his litigation practice, he has also been active in bar and legal committees. For more than fifteen years, he has been a member of what is now known as the Eastern District of New York's Courts Committee on Civil Litigation.

Mr. Kaplan has also been actively involved in the Federal Bar Council, an organization of judges and attorneys in the Second circuit and is a member of the Program and Winter Planning Committees.

Recently Mr. Kaplan was invited by the United States Judicial Center and participated in a multi-day seminar for federal judges about complex litigation.

In addition, Mr. Kaplan has served as a member of the Trade Regulation and Federal Courts Committees of the Association of the Bar of the City of New York.

Mr. Kaplan's published articles include: "Complaint and Discovery In Securities Cases," Trial, April 1987; "Franchise Statutes and Rules," Westchester Bar Topics, Winter 1983; "Roots Under Attack: Alexander v. Haley and Courlander v. Haley," Communications and the Law, July 1979.

Mr. Kaplan sits on the boards of several organizations, including the Columbia Law School Board of Visitors, Board of Directors of the Carver Center in Port Chester, N.Y., Member of the Dana Farber Visiting Committee, Thoracic Oncology in Boston, MA, and Member of Board of Trustees for the Rye Historical Society.

Education:

B.A., Williams College

J.D., Columbia University Law School

Bar affiliations and court admissions:

Bars of the State of New York, and District of Columbia

U.S. Supreme Court

U.S. Courts of Appeals for the Second, Third, Seventh, Ninth, Tenth and Eleventh Circuits

U.S. District Courts for the Southern, Eastern, and Northern Districts of New York, the Central District of Illinois, and the District of Arizona

Professional affiliations:

National Association of Securities and Commercial Law Attorneys (past President)

Committee to Support the Antitrust Laws (past President)

Advisory Group of the U.S. District Court for the Eastern District of New York

American Bar Association

Association of Trial Lawyers of America (Chairman, Commercial Litigation Section, 1985-86)

Association of the Bar of the City of New York (Served on the Trade Regulation Committee; Committee on Federal Courts)

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EXHIBIT G-1

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Kaplan Fox & Kilsheimer LLP

- More than \$5 billion recovered for our clients and represented classes
- Half of the firm's partners have been rated as "Super Lawyers"
- In March 2013, the National Law Journal named Kaplan Fox a top 10 "hot" litigation boutique, a list that includes both plaintiff and defense firms

Data Privacy and Cyberlaw

Kaplan Fox is an national leader in data privacy litigation. The firm was co-lead counsel in *In re: Yahoo Mail Litig.*, 5:13-cv-4980-LHK (N.D. Cal.) that recently concluded in a widely praised settlement resulting in structural changes to Yahoo's email delivery architecture. The firm is also co-leading a number of data breach cases, including *Rodriguez v. Universal Property*, 16-60442-COHN (S.D. Fla.) and *In re: Horizon Healthcare Data Breach Litig.*, No. 15-2309 (3d Cir.), where the firm recently obtained a precedential pro-privacy ruling from the Third Circuit.

Antitrust Litigation

Kaplan Fox has been at the forefront of private antitrust litigation, appointed as lead counsel or member of an executive committee for plaintiffs in some of the largest cases throughout the United States. In a recent survey of defense counsel, in-house attorneys and individuals involved in the civil justice reform movement, two partners (Robert Kaplan and Greg Arenson) were named among the 75 best plaintiffs' lawyers in the country. Some of the larger more recent antitrust recoveries include *In re High Fructose Corn Syrup Antitrust Litigation*, MDL No. 1087, Master File No. 95-1477 (C.D. Ill) (\$531 million recovered) and *In re Air Cargo Shipping Services Antitrust Litigation*, MDL 1775 (E.D.N.Y.) (over \$1 billion recovered).

Securities Litigation

Kaplan Fox is a recognized leader in prosecuting corporate fraud —ranging from cases concerning accounting fraud to those involving complicated and complex financial instruments. Since the passage of the PSLRA in 1995, Kaplan Fox has emerged as one of the foremost securities litigation firms representing institutional investors of all sizes, including many of the world's largest public pension funds. Some of the firm's most significant securities recoveries are: *In re Bank of America Corp. Securities, Derivative, and ERISA Litigation*, MDL 2058 (S.D.N.Y.) (\$2.425 billion recovered) and *In re Merrill Lynch & Co., Inc. Securities Litigation*, Master File No. 07-CV-9633 (JSR) (S.D.N.Y.) (\$475 million recovered).

Consumer Protection

Kaplan Fox's consumer protection attorneys have represented victims of a broad array of misconduct in the manufacturing, testing, marketing and sale of a variety of products and services, and have regularly been appointed as lead or co-lead counsel, or as a member of a committee of plaintiffs' counsel, in consumer protection actions. Among our significant achievements are *In re Baycol Products Litigation*, MDL 1431-MJD/JGL (D. Minn.) (\$350 million recovered) and *In re Thomas and Friends Wooden Railway Toys Litig.*, No. 07-cv-3514 (N.D. Ill.) (\$30 million recovered).